

REMARKS

Claims 1-13 are currently pending in the application, with claims 8 and 9 withdrawn from consideration as being drawn to a non-elected invention. No claims are amended, added, or canceled by this response. Reconsideration of the rejected claims in view of the following remarks is respectfully requested.

Claim of Priority

Applicants are submitting on even date herewith a certified English translation of Japanese Application No. 2003-079930, filed March 24, 2003.

Information Disclosure Statement

Applicants thank the Examiner for consideration of the Information Disclosure Statements filed June 17, 2004, February 20, 2006, and April 20, 2006, by returning the initialed Forms PTO-1449.

However, Applicants note that the Examiner failed to include a completely initialed Form PTO-1449 because "NASA Technical Memorandum, NASA-TM-X3425, dated September 1976" was not initialed. Therefore, Applicants are submitting herewith a copy of the PTO-1449 submitted June 14, 2004 (stamped "COPY") and Applicants request a completely initialed copy of the Form PTO-1449 in the next communication from the U.S. Patent and Trademark Office.

Restriction Requirement

Applicant notes that the restriction requirement described in the paper of March 20, 2006 has been made final. However, Applicant respectfully requests reconsideration in view of the arguments submitted April 20, 2006, or at least withdrawal of the restriction and rejoinder of the withdrawn claims upon allowance of the application.

Response to Rejections**1. Rejection of Claims 1-7 and 10-13 under 35 U.S.C. § 102(e) as anticipated over U.S. 2005/0112398 to DAROLIA**

Claims 1-7 and 10-13 are rejected under 35 U.S.C. § 102(e) as being anticipated over Darolia et al. (U.S. Pat. App. Pub. No. 2005/0112398, "DAROLIA"). In this ground of rejection, it is asserted, amongst other contentions, that DAROLIA discloses a substrate with a thermal barrier coating comprising a layer of aluminide or overlay material such as MCrAlX materials (p. 3, paragraph [0024]).


In response to the anticipation rejection, Applicants submit herewith a certified English translation of priority document Japanese Application No. 2003-079930, filed March 24, 2003, which antedates DAROLIA. Therefore pursuant to MPEP § 706.02(b), Applicants have perfected their claim of priority under 35 U.S.C. § 119, and therefore respectfully request that the 35 U.S.C. § 102(e) rejections of claims 1-7 and 10-13 be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that none of the cited documents of record, either taken alone or in any proper combination thereof, anticipates or renders obvious the Applicant's invention, as recited in each of claims 1-7 and 10-13. In addition, the applied cited documents of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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